

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD
JULY 6, 1999 AT 1:30 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L.
Weeks, Chairman; Mr. Joe
Winkelmann, Vice Chairman;
Mr. Wilbur W. Burton; Mr.
James R. Green, Jr.; Mr.
David C. Mangum; Mr. G.
Robert Lee, County
Administrator; Mr. Paul S.
McCulla, County Attorney

RAIL TRANSPORTATION – VIRGINIA RAILWAY EXPRESS

A work session was held with officials of the Virginia Railway Express on developments in transit in Northern Virginia.

COMMITTEE BRIEFING ON HOUSE BILL 2324

A work session was held to receive a committee briefing on proposed amendments to the County's Comprehensive Plan and Zoning and Subdivision Ordinances addressing effects of HB 2324.

HIGH GROWTH COALITION BRIEFING

A work session was held to receive a briefing on the High Growth Coalition.

COMMUNITY SERVICES BOARD

A work session was held to discuss priorities and programs of the Rappahannock-Rapidan Community Services Board.

COMPREHENSIVE PLAN AMENDMENT – NEW BALTIMORE SERVICE DISTRICT

A work session was held to review the proposed amendments to the Comprehensive Plan relating to the New Baltimore Service District.

EXECUTIVE SESSION

Mr. Mangum moved to go into executive session pursuant to Virginia Code Section 2.1-344(A)(7) for consultation with legal counsel to discuss specific legal matters requiring provision of legal advice related to site plans, building permits, and the Virginia Power project. Mr. Winkelmann seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.*

*David C.
Mangum*

Nays: None

*Absent During
Vote: Mr. James
R. Green, Jr.*

*Abstention:
None*

Upon reconvening from executive session, Mr. Mangum moved to adopt the following certification. Mr. Winkelmann seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 6th day of July 1999, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

Absent During

Meeting: None

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Mangum moved to adopt the agenda subject to removing A Resolution to Authorize the Chairman of the Board of Supervisors to Sign the Water System Operation Agreement, Paris, Virginia, With the Fauquier County Water and Sanitation Authority from the Consent Agenda for discussion on the Regular Agenda and to placing A Proclamation to Declare September 16 and 17, 2000 as "Lafayette Returns to Warrenton" Weekend on the Consent Agenda. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum***

Nays: None

***Absent During
Vote: None***

***Abstention:
None***

CITIZENS TIME

- Jim Stone requested the Board of Supervisors deny the building permit for the Virginia Power Plant based on the hydrogeological study that showed inadequate water supply in the area.
- Kathleen King asked that the Board of Supervisors deny the building permit for the Virginia Power Plant.
- Carol Arnold asked that the Board of Supervisors deny the building permit for the Virginia Power Plant.
- Eve Fout, Chairman of the Piedmont Environmental Council, asked that Chris Miller take her time to speak.
- Chris Miller spoke in opposition to the Virginia Power Plant and asked that the building permit be denied.
- Virginia Dorkey, representing fifteen landowners, asked that the Board of Supervisors reconsider the special exception for Virginia Power.

- Jonah Leonard asked that the Board of Supervisors do something to get clean water to the Marshall area.
- Rick Dorkey spoke in opposition to the Virginia Power Plant.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

Approval of the Minutes of the Board of Supervisors April 6, 1999 and April 20, 1999 Regular Meetings

Approval of a Correction of the Minutes of the Board of Supervisors February 16, 1999 Regular Meeting

At its February 16, 1999 meeting, the Board of Supervisors adopted a resolution to approve a special exception request for National Communication Towers, L.C. Condition Number 4 of that resolution stated that the tower structure would be of a monopole type construction. A representative of National Communications Towers informed the County Administrator's Office that written notification of this approval had indicated the tower structure would be of a lattice type construction. The Board of Supervisors approved a correction to the minutes to change monopole to lattice.

Endorsement of the Fletcherville Planning Grant

RESOLUTION

**A RESOLUTION AUTHORIZING THE RAPPAHANNOCK-RAPIDAN PLANNING DISTRICT
COMMISSION TO PREPARE AND SUBMIT A VIRGINIA COMMUNITY DEVELOPMENT
BLOCK GRANT PROPOSAL FOR THE FLETCHERVILLE SEWER SERVICE PLANNING
PROJECT**

WHEREAS, Fauquier County, Virginia seeks to improve the quality of life for its citizens; and

WHEREAS, the Virginia Department of Health has identified the Fletcherville area as a priority area for the construction of a sewer system due to the concentration of septic systems, directly upstream from the Town of Warrenton's water supply, that have reached their life expectancy and the possibilities of repair; and

WHEREAS, the County wishes to apply for Virginia Community Development Block Grant Planning Grant funds to study the utility problems and related housing deficiencies in these communities; and

WHEREAS, Trust Under/Will Keith N. Fletcher and K&S Fletcher Rental Properties will provide any required cash match and Fauquier County will provide in-kind services through staff time and meeting space; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Rappahannock-Rapidan Planning District Commission be, and is hereby, authorized to prepare and submit a Virginia Community Development Block Grant Planning Grant Proposal, and designates the County Administrator as the Board's representative to sign all documents pertaining thereto.

A Resolution to Authorize and Direct the Publication of the Delinquent List of Local Taxes

RESOLUTION

A RESOLUTION TO AUTHORIZE AND DIRECT THE PUBLICATION

OF THE DELINQUENT LIST OF LOCAL TAXES

WHEREAS, Section 58.1-3921 of the Code of Virginia (1950), as amended requires the Treasurer, not later than August 1st each year, to make out lists as follows:

1. A list of real estate on the Commissioner's land book improperly placed thereon or not ascertainable, with the amount of taxes charged thereon;
2. A list of other real estate which is delinquent for the nonpayment of the taxes thereon;
3. A list of such of the taxes assessed on tangible personal property, machinery and tools, and merchant's capital, and other subjects of local taxation, other than real estate, as the Treasurer is unable to collect;
4. A list of uncollected taxes amounting to less than five dollars each for which no bills were sent; and

WHEREAS, Section 58.1-3924 requires a copy of each of the four lists to be submitted by the Treasurer to the governing body at the first meeting of the governing body held after the Treasurer has completed the lists; and

WHEREAS, the governing body shall cause the lists, or such parts thereof as deemed advisable, to be

published once in a newspaper in the County with the publication costs to be charged to the delinquent taxpayers listed; and

WHEREAS, the Procurement Division of the Consolidated Finance Department is responsible for bidding all goods and services used by the County in accordance with the specifications provided by the Board of Supervisors and in accordance with Fauquier County's Procurement Procedures; and

WHEREAS, funds for the advertising of the delinquent lists are included in the Treasurer's budget and shall be disbursed from that budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the County Administrator be, and is hereby, authorized to publish the delinquent tax lists in accordance with the pertinent sections of the Code of Virginia (1950), as amended, and in accordance with the specifications provided by the Board of Supervisors and the Fauquier County Procurement Procedures.

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A Resolution to Convert a Part-Time Temporary Clerk Position to a Part-Time Permanent Position for Fauquier County's Juvenile and Domestic Relations District Court

RESOLUTION

A RESOLUTION TO CONVERT A PART-TIME TEMPORARY CLERK POSITION TO A PART-TIME PERMANENT POSITION FOR FAUQUIER COUNTY'S JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

WHEREAS, a part-time temporary clerical support position was established for Fauquier County's Juvenile and Domestic Relations District Court; and

WHEREAS, the Fauquier County's Juvenile and Domestic Relations District Court desires to establish this temporary position as a permanent position; and

WHEREAS, the incumbent in the position currently works approximately 30 hours per week; and

WHEREAS, the incumbent communicates with the public, files and provides all clerical support work related to the accomplishment of assigned court duties; and

WHEREAS, the incumbent continues to provide information and referral to the community and staff support for the Juvenile and Domestic Relations District Court; and

WHEREAS, the incumbent continues to provide a valuable resource to the citizens of Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the above-cited part-time temporary clerical support position be, and is hereby, converted to a part-time permanent position, effective July 1, 1999; and, be it

RESOLVED FURTHER, That the Juvenile and Domestic Relations District Court will follow the procedures set forth in the County Personnel Policy and Pay Classification Plan.

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A Resolution to Authorize Adoption of Personnel Policy Section 50, Outstanding Public Service Employee Recognition Program

RESOLUTION

A RESOLUTION TO AUTHORIZE THE ADOPTION OF
PERSONNEL POLICY SECTION #50, OUTSTANDING
PUBLIC SERVICE EMPLOYEE RECOGNITION PROGRAM

WHEREAS, the Fauquier County Board of Supervisors recognizes that the County's employees are the Government's most valuable resource; and

WHEREAS, the Outstanding Public Service Employee Recognition Program Policy is established to recognize individual employees or work units who have demonstrated a sustained commitment to public service; and

WHEREAS, these employees are dedicated to accomplishing non-routine or special work that is significantly above and beyond the normal expectations of their defined responsibilities; and

WHEREAS, their contributions significantly enhance the County Government and/or health, safety and welfare of the citizens of Fauquier County; and

WHEREAS, the County Administrator shall annually recognize one or more employees or work units as recipients of the Outstanding Public Employee Recognition Award; and

WHEREAS, the Outstanding Public Employee Recognition Award shall be granted from non-recurring monetary funds made available by the Board of Supervisors; and

WHEREAS, permanent employees of the County may be recipients of this award but will not be eligible for this award in consecutive years; now, therefore, be it,

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Outstanding Public Service Employee Recognition Program Policy be incorporated into the policy manuals; and, be it

RESOLVED FURTHER, That the effective date be July 1, 1999; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, directed to administer this policy in accordance with applicable Fauquier County policies and procedures.

Personnel Policy

Fauquier County, Virginia

Policy Title:

Section No.

Effective Date:

Outstanding Public

July 6, 1999

Service Employee

Recognition Program

I. PURPOSE:

The Fauquier County Board of Supervisors recognizes that the County's employees are the Government's most important resource. The Outstanding Public Employee Recognition Program is hereby established to recognize individual employees or work units who have demonstrated a sustained commitment to public service through the accomplishment of a non-routine or special work product or task that is significantly above and beyond the normal expectation of the employee or work unit that contributed significantly to the County government and/or the health, safety and welfare of the citizens of Fauquier County

II. SCOPE:

Any permanent employee of the County may participate in this program, however, no employee shall be eligible for this award in consecutive years.

III. RESPONSIBILITY:

The County Administrator shall annually recognize one or more employees or work units as recipients of the Outstanding Public Employee Recognition Award and shall allocate all or a portion of the funds made available by the Board of Supervisors in any manner deemed appropriate by the County Administrator for the purpose of providing non-reoccurring monetary awards to these employees.

IV. Recognition Criteria:

In determining the recipients of this award the County Administrator shall consider, at a minimum, the following factors:

1. The overall impact of the non-routine or special work product or task on the County government and/or the health, safety and welfare of the citizens of Fauquier County.
2. The quality of the non-routine or special work product or task.
3. The probable outcome of the employee or work unit's having not put in the "extra" effort required to complete the specific non-routine or special work product or task.
4. The amount of extra effort required to complete the non-routine or special work product or task.

A Resolution to Authorize Position Reclassifications

RESOLUTION

A RESOLUTION TO AUTHORIZE POSITION RECLASSIFICATIONS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia, 1950, as amended, with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, several position reclassifications and class specifications for proposed positions within the General County Government have been recommended by David M. Griffith, & Associates and approved as part of the FY2000 budget process as part of the Board of Supervisors approved pay plan and position classification system; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for these actions has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the submitted position reclassifications are approved for incorporation into the pay plan with an effective date of July 1, 1999; and, be it

RESOLVED FURTHER, That the sum of \$5,470 be transferred as noted below:

From To

4-100-91400-9601 (\$5,740) 4-100-21700-1101 \$3,119

4-100-21700-2100 \$239

4-100-21700-2210 \$380

4-100-21700-2400 \$22

4-100-12511-1101 \$1,643

4-100-12511-2100 \$125

4-100-12511-2210 \$200

4-100-12511-2400 \$12

County Reclassification Requests

July 1999

Position	Current Grade	New Title	New Grade
Manager, Infrastructure Services (Information Resources)	New Classification	Manager, Infrastructure Services	27
GIS Specialist, Sr. (Info. Resources)	19	GIS Supervisor	25
Comprehensive Services Administrator	22	Comprehensive Services Administrator	23
Director of Economic Development	New Classification	Director of Economic Development	30
Director of Adult Court Services	26	Director of Adult Court Services	30
Shelter Program Manager (Dept. Social Services)	23	Shelter Program Manager	27
Recycle Technician (Support Services)	14	Recycle Technician	14
Office Associate III (Emergency Services)	15	Office Associate III	15
Office Associate II (Environmental Services)	11	Office Associate II	11

Ex. Assistant I (Environmental Services)	16	Ex. Assistant I	16
Juvenile Justice Program Coordinator (Juvenile Court)	New Classification for existing position	Juvenile Justice Program Coordinator	19
Engineering/Environment Planner (Community Development)	New Classification for temporary position	Engineering/Environment Planner	20

A Resolution to Transfer and Appropriate Funds in the Amount of \$55,999

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

IN THE AMOUNT OF \$55,999

WHEREAS, the Board of Supervisors is charged by the Code of Virginia, 1950, as amended, with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Public Library has requested the appropriation of \$12,460 from a technology reserve account to support the purchase of a server in order to utilize its new operating system; and

WHEREAS, the Office of Management and Budget requested an appropriation of \$10,305 from the

Technology Reserve Account be placed in a CIP account to be used for correcting potential Y2K problems; and

WHEREAS, the John Marshall Soil and Water Conservation Department requested \$32,754 from State funds to support a position to meet water nutrient reduction goals; and

WHEREAS, the Office of Management and Budget requested \$480 for FY 2000 to support internet service to Constitutional Officers with support from State funds; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the sum of \$55,999 be carried over, transferred or appropriated, and hereby approved as follows:

	FROM			TO	
Source	Code	Amount	Department	Code	Amount
Reserve Account	4-100-91400-6025	\$12,460	Public Library CIP	4-302-94109-8212	\$12,460
Reserve Account	4-100-91400-6025	\$10,305	CIP - ADP Hardware/ Equip	4-302-80901-8207	\$10,305
State Funds	3-100-192000-0115	\$32,754	John Marshall Soil & Water	4-100-82400-1101	
				4-100-82400-2100	\$25,363
				4-100-82400-2210	\$1,904
				4-100-82400-2310	\$3,087
					\$2,400
FY2000			Commonwealth Atty	4-100-22100-5235	\$240
State Funds	3-100-230000-0010	\$240	Clerk of Circuit Court	4-100-21600-5235	\$240
	3-100-230000-0070	\$240			
TOTAL		\$55,999			\$55,999

A Resolution Authorizing the County Administrator and Treasurer to Execute All Necessary Documents to Enter Into a Lending Arrangement with the Rappahannock-Rapidan Planning District Commission (Planning District 9) in an Amount Not to Exceed Two Hundred and Fifty Thousand Dollars

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND TREASURER TO EXECUTE ALL NECESSARY DOCUMENTS TO PROVIDE A BRIDGE LOAN TO THE RAPPAHANNOCK-RAPIDAN PLANNING DISTRICT COMMISSION IN AN AMOUNT NOT TO

EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS FOR THE PURCHASE OF REAL
PROPERTY

WHEREAS, the Rappahannock-Rapidan Planning District (hereinafter PD9) has contracted to purchase real property; and

WHEREAS, PD9 has applied for a loan to purchase the real property; and

WHEREAS, PD9 seeks to purchase the real property prior to the approval of its loan in order to avoid further rental payments to the seller; and

WHEREAS, PD9 has requested that the Board of Supervisors consider loaning it an amount not to exceed \$250,000 as a bridge loan to permit it to purchase the real property prior to the disbursement of its permanent loan; and

WHEREAS, the Fauquier County Board of Supervisors is willing to lend to PD9 an amount not to exceed \$250,000 for the aforesaid purpose upon certain terms and conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the County Administrator and Treasurer be, and are hereby, authorized to execute such documents as are necessary and required to effect a loan in an amount not to exceed \$250,000 upon the following terms and conditions:

- a. PD9 shall execute a note and deed of trust against the real property for which the bridge loan is sought, which may be recorded by the County Attorney at the sole cost of PD9 should the County Attorney or County Administrator determine for any reason that recordation is appropriate.
- b. The note shall be due and payable upon the occurrence of any of the following events: a) disbursement of the permanent loan funds; b) denial of the permanent loan application by the lender; but notwithstanding the previous provisions the loan shall be due payable not later than six months after date of loan transaction.
- c. The note shall carry interest at the rate of one percent (1%) above the rate paid by the Virginia Local Government Investment Pool on Fauquier County investments, which interest shall be due and payable upon disbursement of the permanent load funds but not later than six (6) months after date of loan transaction.
- d. PD9 shall provide the County with evidence that it has applied for a permanent loan and shall promptly notify the County of the approval or disapproval of the loan application.
- e. The loan shall be used for the sole purpose of purchasing the aforesaid real property as a bridge loan until permanent financing has been approved and disbursed.
- f. PD9 shall prepare and provide all necessary documents related to the loan and deed of trust, which documents shall be subject to the approval, as to both form and substance, of the County Administrator and the County Attorney.

A Resolution to Refer Proposed Amendments of the Comprehensive Plan and Zoning and Subdivision Ordinance Addressing the Effect of House Bill 2324 to the Planning Commission for Consideration and Action

RESOLUTION

A RESOLUTION REFERRING PROPOSED AMENDMENTS TO
THE FAUQUIER COUNTY COMPREHENSIVE PLAN, ZONING
ORDINANCE AND SUBDIVISION ORDINANCE TO THE
PLANNING COMMISSION FOR CONSIDERATION AND ACTION

WHEREAS, the General Assembly adopted HB 2324 amending the Code of Virginia by adding Section 15.2-2288.1 which prohibits localities from requiring as a condition of approval of a subdivision plat, site plan, or plan of development, or issuance of a building permit, that a special exception, special use, or conditional use permit be obtained for the development and construction of residential dwellings at the use, high and density permitted by right under the local zoning ordinance; and

WHEREAS, Section 15.2-2288.1 has an effective date of January 1, 2000; and

WHEREAS, the Board of Supervisors established an ad hoc committee to review the effects of HB 2324 on the land use ordinances and regulations of Fauquier County and to make recommendations to mitigate those impacts; and

WHEREAS, the committee has recommended to the Board of Supervisors a series of amendments to the County's zoning and subdivision ordinances and to the Comprehensive Plan; and

WHEREAS, the proposed text of those amendments has been drafted by the County Attorney's Office and the Department of Community Development; and

WHEREAS, the Board of Supervisors desires to begin the process of considering the text amendments so as to put in place any desired amendments prior to the effective date of Section 15.2-2288.1 of the Code of Virginia, 1950, as amended; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 6th day of July 1999, That the proposed amendments to the text of the Fauquier County Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance be, and are hereby, referred to the Fauquier County Planning Commission for consideration and action in accordance with the requirements of the Code of Virginia, 1950, as amended, and the Fauquier County Zoning Ordinance.

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Adoption of an Order to Abandon a Portion of Mosby Drive (State Route 1406)

ORDER

WHEREAS, the Board of Supervisors, by affirmative vote entering this Order, evidences its satisfaction that no public necessity exists for the continuance of the hereinafter described section of Virginia Route 1406 as a public road; and

WHEREAS, the Board of Supervisors, by entry of this Order, has determined that the safety and welfare of the public would be served best by abandoning the hereinafter described section of Virginia Route 1406; and

WHEREAS, the Board of Supervisors, by entry of this Order, has determined that alternative routes for use of Virginia Route 1406 after abandonment are readily available; now, therefore, be it

ORDERED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the portion of Virginia Route 1406 (Mosby Drive) at its intersection with Nordix Drive and the northeast corner of Lot 32 of Chestnut Turn Subdivision, a distance of 251.25 feet, as shown on the site plan for Chestnut Turn by James H. Harris & Associates, Inc., dated March 1990, and last revised July 26, 1994, a copy of which plat is attached to that certain Petition to the Virginia Department of Transportation to Close and Discontinue use of a Portion of Mosby Drive adopted by the Board of Supervisors on the 19th day of November 1994, be, and is hereby, abandoned; and, be it

ORDERED FURTHER, That the County Administrator be, and is hereby, directed to take all actions necessary to transfer title to the abandoned portion of Mosby Drive to the Chestnut Turn Homeowners Association; and, be it

ORDERED FINALLY, That a copy of this Order shall be entered into the minutes of the Board of Supervisors and sent to the Commonwealth Transportation Board and to Robert Moore, Resident Engineer, VDOT.

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A Resolution to Amend Section 5-1.B of the 1999 Bylaws and Rules of Procedure of the Board of Supervisors of Fauquier County to Clarify Who May Place Matters on the Board of Supervisors Meeting Agenda

RESOLUTION

A RESOLUTION TO AMEND SECTION 5-1.B OF THE BY-LAWS

AND RULES OF PROCEDURE OF THE BOARD OF

SUPERVISORS TO PROVIDE FOR AND CLARIFY WHO MAY

PLACE ITEMS ON THE AGENDA OF THE BOARD OF SUPERVISORS

WHEREAS, Section 5-1.B of the 1999 Bylaws and Rules of Procedure of the Fauquier County Board of Supervisors specifies how members of the Board of Supervisors may place a matter on the agenda of the Board; and

WHEREAS, the Board of Supervisors wishes to clarify those persons who may place a matter on the agenda of the Board of Supervisors for consideration; now, therefore, be it

RESOLVED, by the Board of Supervisors of Fauquier County this 6th day of July, 1999, That Section 5-1.B of the 1999 Bylaws and Rules of Procedure of the Fauquier County Board of Supervisors be and is hereby amended to read as follows:

~~A. Board members may request that items be placed on the agenda by contacting the County~~

~~Administrator at least ten (10) business days prior to the Board meeting for which they wish the item scheduled. The County Administrator shall place items on the agenda for the next regular meeting following the request, subject to Paragraph A. of this Section.~~

~~B. -~~

B. Matters may be placed on a Board agenda only in the following manner: (1) by resolution of the Board; or (2) upon the direction of any member of the Board of Supervisors or the County Administrator; or (3) by the County Administrator or County Attorney; or (4) when directed by Section 15.2-1243 et seq. as a claim to be presented to the Board of Supervisors, or (5) upon referral of a land use matter to the Board of Supervisors as provided for in Chapter 22, of Title 15.2 of the Code of Virginia. No matter may be placed upon the Board's agenda unless the agenda request has been submitted to the County Administrator at least ten (10) days prior to the Board meeting for which the item is scheduled to be considered. Pursuant to Paragraph A. of this section, the County Administrator shall place agenda items submitted pursuant to this paragraph on the Board's agenda for the next regular meeting following its timely submission.

A Proclamation to Declare September 16 and 17, 2000 as "Lafayette Returns to Warrenton" Weekend

PROCLAMATION

A PROCLAMATION TO DECLARE SEPTEMBER 16 AND 17, 2000

AS "LAFAYETTE RETURNS TO WARRENTON" WEEKEND

WHEREAS, Fauquier County and the Town of Warrenton have a rich history dating back to pre-Colonial times; and

WHEREAS, the history of the community has been enriched by visits from dignitaries and representatives from near and far; and

WHEREAS, General Lafayette visited Warrenton in 1825; and

WHEREAS, in the year 2000, 175 years will have passed since General Lafayette's historic visit; and

WHEREAS, the Fauquier Historical Society is planning an event to commemorate General Lafayette's visit to Warrenton; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the weekend of September 16 and 17, 2000 be designated as "Lafayette Returns to Warrenton" weekend.

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A Resolution to Authorize the Chairman of the Board of Supervisors to Sign the New Lease Agreements with the Fauquier County School Board, the Commonwealth of Virginia Department of Social Services, and the Virginia State Department of Health

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN NEW LEASE AGREEMENTS WITH THE FAUQUIER COUNTY SCHOOL BOARD, THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF SOCIAL SERVICES, AND THE VIRGINIA STATE DEPARTMENT OF HEALTH

BE IT RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Chairman be, and is hereby, authorized to sign a new lease agreement with the Fauquier County School Board, a first amendment to the lease with the Commonwealth of Virginia, Department of Social Services, and a first amendment to the lease with the Virginia Department of Health.

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A Resolution to Authorize Capital Project Loans to the Airport Enterprise Fund

RESOLUTION

A RESOLUTION AUTHORIZING AIRPORT REVENUE-PRODUCING
CAPITAL PROJECTS LOANS

WHEREAS, Fauquier County is eligible for State and Federal grants and cost-share for capital projects at the Warrenton-Fauquier Airport; and

WHEREAS, a Capital Improvements Plan has been adopted for the Warrenton-Fauquier Airport, known as the Airport Long-Term Plan; and

WHEREAS, Fauquier County regularly files an Airport Capital Improvements Program plan with the Virginia Department of Aviation and the Federal Aviation Administration; and

WHEREAS, many projected capital improvements at the Warrenton-Fauquier Airport will generate revenues for the Airport Enterprise Fund; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Fauquier County Finance Committee, on recommendation of the Airport Committee be, and is hereby, authorized to draw upon funds available in the County's Capital Improvements Program fund as non-interest bearing loans to the Airport Enterprise Fund for the completion of capital projects that generate revenues for the Airport Enterprise Fund; and, be it

RESOLVED FURTHER, That it is understood that the Airport Enterprise Fund shall be expected to timely reimburse the Capital Improvements Program fund for borrowings.

A Resolution to Authorize Grant Acceptance and Appropriation for Piedmont Dispute Resolution Center

RESOLUTION

A RESOLUTION TO AUTHORIZE GRANT ACCEPTANCE AND
APPROPRIATION FOR PIEDMONT DISPUTE RESOLUTION CENTER

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget are from a State grant; and

WHEREAS, Fauquier County has applied for and been awarded a State grant in the amount of \$51,465 to allow the Piedmont Dispute Resolution Center to conduct juvenile accountability conferencing for the Fauquier County court system; and

WHEREAS, the Piedmont Dispute Resolution Center has requested the appropriation of \$51,465 for this grant from State funding; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the County Administrator be, and is hereby, authorized to accept this State grant in the amount of \$51,465 for the Piedmont Dispute Resolution Center; and, be it

RESOLVED FURTHER, That the sum of \$51,465 be appropriated as follows, effective upon adoption of this resolution:

	FROM			TO	
Source	Code	Amount	Department	Code	Amount
State funds	3-100-331000-0180	\$51,465	Piedmont Dispute Resolution Center	4-100-81600-5694	\$51,465
TOTAL		\$51,465			\$51,465

A Resolution to Approve a Joint Partnership Agreement Between the Fauquier County School Board, the Fauquier County Board of Supervisors, and the Office of the Sheriff for Two Community Resource Officers

RESOLUTION

A RESOLUTION TO APPROVE A JOINT PARTNERSHIP
AGREEMENT BETWEEN THE FAUQUIER COUNTY
SCHOOL BOARD, THE FAUQUIER COUNTY BOARD
OF SUPERVISORS AND THE OFFICE OF SHERIFF
FOR TWO COMMUNITY RESOURCE OFFICERS

WHEREAS, the Fauquier County School Board has requested two Community Resource Officers as part of the C.O.P.S. Universal Hiring Program; and

WHEREAS, the program represents a partnership between Fauquier County Public Schools and the Fauquier County Sheriff's Department; and

WHEREAS, U.S. Department of Justice funds will be available to cover 100% of the salaries and benefits for the aforesaid Community Resource Officers for a period of three years; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Board of Supervisors authorizes the grant application for two Community Resource Officers under the C.O.P.S. Universal Hiring Program subject to signature by Mary Charles Ashby, Chairman of the Fauquier County School Board, and Joe Higgs, Sheriff, to the following Memorandum of Understanding and agreement:

The School Division will pay all program costs not funded by the U.S. Department of Justice for two middle school Community Resource Officers with the understanding that all program costs will be funded from the Fauquier Public School Budget when the C.O.P.S. Universal Hiring Program grant expires in the Year 2002. This funding assurance is based on annual appropriations to the Fauquier County School Division equal to, or in excess of, the funding appropriations for the Fiscal Year 2000.

Mary Charles Ashby, Chairman Joe Higgs, Sheriff

Fauquier County School Board Fauquier County

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**A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF SUPERVISORS
TO SIGN THE WATER SYSTEM OPERATION AGREEMENT, PARIS, VIRGINIA, WITH
THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY**

Mr. Mangum moved to adopt the following resolution to renew the agreement for one year and to negotiate an agreement for ownership of the Paris water system. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE
BOARD OF SUPERVISORS OF FAUQUIER COUNTY TO SIGN
THE PARIS, VIRGINIA WATER SYSTEM OPERATION AGREEMENT
WITH THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY

WHEREAS, the County owns the Paris Water System, intended for the provision of public water services to the unincorporated Village of Paris, Virginia; and

WHEREAS, the Water and Sanitation Authority shall operate and maintain the Paris Water System on behalf of the County; and

WHEREAS, the Water and Sanitation Authority Board unanimously elected to terminate the Water System Operation Agreement dated 25 July 1995 and so notified the County Administrator by letter dated 25 March 1998; and

WHEREAS, the County Board of Supervisors desires to continue to have the Water and Sanitation Authority continue the uninterrupted operation and maintenance of the Paris Water System and to avoid any discontinuation of services to its customers; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Board does hereby authorize the Chairman to sign the Water System Operation Agreement for a period of one year; and, be it

RESOLVED FURTHER, That negotiations will begin to come to an agreement between the Fauquier County Board of Supervisors and the Fauquier County Water and Sanitation Authority regarding ownership of the Paris Water System.

SPECIAL EXCEPTION – SALAHİ FAMILY LIMITED PARTNERSHIP/OASIS VINEYARD

A public hearing was held at the April 29, 1999, meeting to consider a request for special exception approval from the Salahı Family Limited Partnership/Oasis Vineyard to renew an existing special exception for six (6) months with minor amendments. The property is located on the south side of Hume Road (State Route 635) approximately on half mile east of the Fauquier County/Rappahannock County boundary, near Hume, PIN #5998-87-1678, Marshall District. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded.

Mr. Mangum moved to amend the motion to add that the Zoning Administrator or the Sheriff's Department would proctor the major event. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

The vote for the original motion to adopt the following resolution with the amendment was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

Abstention:
None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION RENEWAL REQUEST

#SE99-M-06, SALAHY FAMILY PARTNERSHIP/OASIS WINERY

WHEREAS, the Salahi Family Partnership and Oasis Winery, Owners and Applicant, have filed an application for a special exception renewal under Category 5-916, Spectator and Non-Spectator Field Events and Activities (Class C) of the Fauquier County Zoning Ordinance to hold events at the winery; and

WHEREAS, the special exception application of the Salahi Family Partnership and Oasis Winery, Owners and Applicant, has been properly filed and all required notices of the public hearings have been properly made, and the Applicant has presented evidence both oral and documentary, and staff has filed a staff report, all indicating compliance with the general standards for the special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds more restrictive standards of Article 5-916 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on April 29, 1999, on this special exception request and recommended approval subject to the eighteen (18) conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July, 1999, THAT Special Exception #SE99-M-06, Salahi Family Partnership and Oasis Winery, Owners and Applicant (PIN# 5998-87-1678), be, and is hereby, approved subject to the following finding and conditions:

FINDING:

- The Board of Supervisors finds that the type and amount of traffic generated by the proposed use is such that it will not cause an undue impact on the neighbors or adversely affect the safety of Hume Road (Route 635).
-

CONDITIONS:

1. Prearranged uses to which the property may be put under this special exception shall be limited to the following: arts and crafts shows; family reunions; wedding receptions and similar receptions; picnics, barbecues, and other similar activities such as wine tasting dinners and wine tasting lunches, corporate retreats, education seminars, and community-related arts, cultural, and educational activities.
2. No fireworks displays or helicopter rides shall be held on the premises. Hot air balloon events shall be limited to one day in the Fall, and shall be under the auspices of the State Department of Tourism.

3. Prearranged wine tasting lunches with less than 100 attendees shall be permitted. One (1) prearranged wine tasting lunch per month with 100 to 150 attendees shall be permitted.
4. No more than three (3) prearranged wine tasting dinners shall be held in any calendar week with no more than 100 attendees at any one (1) dinner. Except for the permitted wine tasting dinners and wine tasting lunches, the maximum number of "Class C" events permitted in any calendar year shall not exceed one (1) in excess of 150 attendees with no more than 250 attendees per event nor eight (8) events with less than 150 attendees.
5. The one (1) permitted "Class C" event in excess of 150 attendees with no more than 250 attendees can not be held the same time the winery is holding an open house. In addition, either the Fauquier County Zoning Administrator or the Fauquier County Sheriff must be in attendance at this "Class C" event of greater than 150 attendees but no more than 250 attendees.
6. The hours of operation for all events open to the general public shall be limited to the hours of 10:00 a.m. to 5:00 p.m. All Class C events shall be limited to the hours of 10:00 a.m. to 10:00 p.m.
7. All outdoor music (amplified or non-amplified) shall cease prior to 9:00 p.m. Outdoor amplified music is only permitted for one (1) Class C event and shall be permitted for a maximum of four (4) hours per day. Any outdoor live music played on the patio, deck, or barn area must be located in the gazebo and face the winery. If amplified music is played at a wine tasting lunch or dinner, this event will be considered the Class C event permitted in this paragraph. Background recorded music may be played on the patio of the winery, provided that the level of sound not be heard at any property line.
8. Fire extinguishers meeting state and federal standards shall be provided at all event sites.
9. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires and mowed to a maximum length of four (4) inches.
10. The Applicant shall at all times, employ such number of persons as are necessary to facilitate the parking of vehicles and the control of those in attendance.
11. All on-site parking, entrances, and other physical improvements shall comply with the County's site plan regulations.
12. All entrances shall meet VDOT requirements.
13. The Applicant shall conform at all times to Health Department regulations regarding sanitary sewerage facilities, food service, hand washing facilities, and wells.
14. All lighting shall be shielded, directed downward and inward, so as to eliminate glare from all adjacent properties.
15. Any parking illumination shall be limited to ground lighting.
16. The special exception shall be approved for six (6) months commencing from September 15, 1999.
17. No Class C events shall be held until site plan approval is granted.
18. The existing patio areas may be enclosed, but no other expansion is approved with this special exception request, except the renovated barn area, including the patio, decks and paved area, may be used for any Class "C" event.
19. The Zoning Administrator shall be notified no less than 30 days prior to any Class C event. This notice shall include the date, time, and type of event and copies of any required permits or licenses from the Sheriff's Office, VDOT, Emergency Services Office, and Health Department. See Section 5-916.6 of the Zoning Ordinance. In addition, the applicant shall notify his/her immediate neighbors 30 days prior to any Class C event.

RECONSIDERATION OF REZONING REQUEST – HUNTER'S HEAD, L.C.

Mr. Green moved to table the decision on reconsideration of the rezoning request for Hunter's Head, L.C., until the August 2, 1999 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

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A RESOLUTION TO ESTABLISH FUNDING SUPPORT TO EXPAND RECREATIONAL FACILITIES WITHIN FAUQUIER COUNTY

Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

RESOLUTION

A RESOLUTION TO ESTABLISH FUNDING SUPPORT TO EXPAND
RECREATIONAL FACILITIES WITHIN FAUQUIER COUNTY

WHEREAS, the Board of Supervisors is charged by Code of Virginia with the operation of an annual budget and during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, several citizens organizations such as the Sports Field Study Group have identified a shortage of recreational facilities within Fauquier County; and

WHEREAS, the Board of Supervisors has indicated its interest in supporting expansion of recreational facilities in Fauquier County and especially those which would be used by the youth of the County; and

WHEREAS, the Board of Supervisors estimates that the cost of land acquisition and certain infrastructure improvements necessary to provide the current and projected sports fields needed to serve the youth of Fauquier County will be \$3,500,000; and

WHEREAS, the Board of Supervisors wishes to take those actions necessary to provide the required funds to complete the necessary land acquisition and infrastructure improvements; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of Fauquier County to fund the \$3,500,000 requirement through the substitution of a borrowing of \$3,500,000 from the Virginia Public School Authority (VPSA) for the \$3,500,000 in needed General Fund moneys previously set aside for the construction of the James G. Brumfield Elementary School; and

WHEREAS, the Board of Supervisors wishes to minimize the long term impact of this borrowing on the existing County revenue base by specifically stating its intention to dedicate up to \$350,000 of the tax revenues from the Virginia Power combustion turbine facility beginning in FY2001 for the purpose of meeting the debt service requirements of the VPSA borrowing; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Board of Supervisors does hereby authorize the Chairman of the Board of Supervisors to forward a letter, on behalf of the Board of Supervisors, to the Fauquier County School Board, officially requesting that the School Board expeditiously take all actions necessary to initiate a request to borrow \$3,500,000 for the purpose of constructing the James G. Brumfield Elementary School; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby expresses its intention to appropriate the \$3,500,000 in local revenues previously appropriated for the James G. Brumfield Elementary School upon the receipt of the VPSA borrowing proceeds for the purpose of expanding and enhancing Fauquier County recreational facilities; and be it

RESOLVED FURTHER, That the Board of Supervisors does hereby manifest its intent to dedicate up to \$350,000 annually, beginning in FY2001, of the anticipated new revenue that the County will receive from the Virginia Power combustion turbine facility for the purpose of meeting the debt service requirements of the \$3,500,000 VPSA borrowing and does hereby direct the County Administrator to incorporate this stated intent of the Board of Supervisors into the FY2001 County Administrator's Recommended Budget; and, be it

RESOLVED FURTHER, That the Parks and Recreation Board will have the responsibility for the

development of plans for the use of these funds; and be it

RESOLVED FURTHER, That the Finance Committee of the Board of Supervisors will consider the specific use of all funds allocated to this project and provide its recommendation to the Board of Supervisors for review and final approval; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby manifest its intent to reallocate any unspent portion of the \$3,500,000 set aside for land acquisition and infrastructure improvements relating to sports fields upon the completion of the sports fields project(s) for the purpose of supporting other needed parks and recreation improvements such as, but not limited to, swimming pools, equestrian facilities, walking trails and parks. Lands donated by individuals or corporations would be deducted from the \$3,500,000 based on the fair market value or appraisal value of the donated land.

SUPERVISORS TIME

- Mr. Green reported that he had attended his first Route 50 Traffic Calming Committee Meeting. Mr. Sebo and Mr. Rich were elected co-chairman. Mr. Green said that he would have periodic updates for the Board members.
- Mr. Green asked for Board support in requesting the Planning Commission look at changing the ordinance to allow charitable events at private residences without a special exception.

CONSIDER A REDUCTION IN THE LANDFILL TIPPING FEES TO \$38.00 PER TON

A public hearing was held to consider reducing the landfill tipping fee to \$38.00 per ton. Kitty Smith spoke in favor of the reduction. No one else spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum***

Nays: None

***Absent During
Vote: None***

***Abstention:
None***

RESOLUTION

A RESOLUTION TO AUTHORIZE A DECREASE IN LANDFILL TIPPING FEES

WHEREAS, Section 10-2 of the Code of Fauquier County authorizes the Director of Solid Waste Management to change at any time, with approval of the Board of Supervisors by resolution, the rate at which fees are assessed for the disposal of solid waste at County owned, operated or associated disposal sites; and

WHEREAS, Section 2-5.2 of the Code of Fauquier County requires due notice and public hearing before any amendment or change to the fees set forth or established by the Code; and

WHEREAS, Fauquier County currently charges a tipping fee of forty-six dollars (\$46.00) per ton to accept solid waste at the landfill; and

WHEREAS, the Board of Supervisors in meeting assembled on June 4, 1991, established the Fauquier County Solid Waste Program as an enterprise fund in an effort to fund solid waste disposal through user fees rather than property tax subsidization; and

WHEREAS, the present tipping fee has been determined by the Board of Supervisors to be non-competitive; and

WHEREAS, a public hearing was held on July 6, 1999; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the tipping fee of the Fauquier County Landfill be, and is hereby, set at thirty-eight dollars (\$38.00) per ton effective August 1, 1999.

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WITHDRAWAL FROM MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT – MICHAEL T. AND DEBORAH H. MACQUILLIAM

A public hearing was held to consider a request from Michael T. and Deborah H. MacQuilliam to withdraw approximately 26.01 acres from the Marshall/Warrenton Agricultural and Forestal District due to the inability to finance their oldest son's college education. Michael and Deborah MacQuilliam spoke in favor of the withdrawal. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Burton seconded, and the vote for the motion was 4 to 0 as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: Mr. Joe*

Winkelmann

*Abstention:
None*

ORDINANCE

AN ORDINANCE TO WITHDRAW APPROXIMATELY 26.01 ACRES FROM THE MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

BE IT ORDAINED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the request to withdraw 26.01 acres from the Marshall/Warrenton Agricultural and Forestal District for a good and reasonable cause, further described as PIN #6967-43-2334-000, made by Michael and Deborah MacQuilliam be, and is hereby, approved provided that the applicant furnish an affidavit stating they will not further subdivide the property for the duration of the Marshall/Warrenton Agricultural and Forestal District. The district is due to expire on January 20, 2005.

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ZONING ORDINANCE TEXT AMENDMENTS – SECTION 3-301.a – PERMIT SINGLE FAMILY DETACHED DWELLINGS IN THE TOWNHOUSE ZONING DISTRICT; SECTION 4-108 – ALLOW AN ADDITIONAL 0.5 DWELLING UNITS PER NET DEVELOPABLE ACRE FOR URBAN COTTAGES AND/OR LOW AND MODERATE INCOME HOUSING; SECTION 4-202 – ESTABLISH THE AFFORDABLE HOUSING DISTRICT AS AN OVERLY DISTRICT

A public hearing was held to consider Zoning Ordinance text amendments to Section 3-301.a to permit single family detached dwellings in the townhouse zoning district; Section 4-108 to allow an additional 0.5 dwelling units per net developable acre for urban cottages and/or low and moderate income housing; and Section 4-202 to establish the affordable housing district as an overlay district. Bruce LeLacheur, representing the Affordable Housing Committee, spoke in favor of all the Zoning Ordinance text amendments. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following ordinances. Mr. Green seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

Abstention:
None

ORDINANCE

AN ORDINANCE TO AMEND ARTICLE 3, DISTRICT REGULATIONS, PART 3,

USES, SECTION 3-301.1.a, RESIDENTIAL USES (CATEGORY 1) RESIDENTIAL DEVELOPMENT – MINOR TO PERMIT SINGLE FAMILY DETACHED DWELLING UNITS IN THE TOWNHOUSE (TH) ZONING DISTRICT

WHEREAS, the Fauquier County Zoning Ordinance, Article 3, District Regulations, Part 3, Uses, Section 3-301.1.a, Residential Uses (Category 1) currently does not allow single family detached dwelling units in the Townhouse (TH) Zoning District; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 6th day of July 1999, That Article 3 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

ARTICLE 3, DISTRICT REGULATIONS, PART 3, USES, SECTION 3-301, RESIDENTIAL USES (CATEGORY 1)

RC RA RR-2 V R-1 R-2 R-4 TH C-1 CV

1. Residential Development – Minor P P P P P P P SP SP

- a. Dwelling, Single Family Detached
- b.

ARTICLE 3, DISTRICT REGULATIONS, PART 3, USE LIMITATIONS

USE LIMITATIONS RC RA RR-2 V R-1 R-2 R-4 TH¹⁵

ARTICLE 3, DISTRICT REGULATIONS, PART 4, USE REGULATIONS, SECTION 3-400, USE REGULATIONS, FOOTNOTE 15

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15. In the TH Zoning District, the density, lot size, lot width and bulk requirements shall be the same for developments in the R-4 Zoning District.

16.

ORDINANCE

AN ORDINANCE TO AMEND SECTION 4-10 OF THE FAUQUIER COUNTY ZONING

ORDINANCE TO ALLOW INCREASED DENSITY IN THE PLANNED RESIDENTIAL DISTRICT (PRD) FOR THE PROVISION OF HOUSING THAT QUALIFIES AS LOW AND/OR MODERATE UNDER THE DEFINITION OF AFFORDABLE HOUSING

WHEREAS, the Fauquier County Zoning Ordinance, Section 4-108, currently does not provide for an affordable housing density bonus in the Planned Residential District (PRD); and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 6th day of July 1999, That Section 4-108 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

The maximum base residential density in the PRD is 5.5 dwelling units per acre as defined in Section 2-308 of this Ordinance. An additional 0.5 dwelling units per net developable acre may be allowed (up to a maximum of 6.0 dwelling units per acre) for urban cottages and/or housing that qualifies as low and/or moderate under the definition of Affordable Housing (Section 15-300). Ten to twenty percent of the total units shall be affordable before the density bonus is available.

ORDINANCE

AN ORDINANCE TO AMEND SECTION 4-202 OF THE FAUQUIER
COUNTY ZONING ORDINANCE TO AMEND THE APPLICABILITY
OF THE AFFORDABLE HOUSING OVERLAY DISTRICT

WHEREAS, the Fauquier County Affordable Housing Committee has recommended amending Section 4-202 of the Fauquier County Zoning Ordinance with regard to the applicability of the Affordable Housing Overlay District; and

WHEREAS, the Fauquier County Board of Supervisors held a public hearing regarding the matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 6th day of July 1999, That Section 4-202 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

The Affordable Housing District is hereby established as an overlay district, meaning that it is a district overlaid upon other zoning districts. This overlay district is established and applicable only to lots of record as of January 1, 1996, that are larger than 1 acre and 20 acres or less; that are zoned ~~as of January 1, 1996~~, one of the following residential districts: R-1, R-2, R-4 or TH; and that are served by public sewer and central water. ~~and which are the Bealeton, Marshall, Remington and Warrenton Service Districts.~~

ZONING ORDINANCE TEXT AMENDMENT – SECTION 3-309, SECTION 3-318, SECTION 15-300, SECTION 3-311, AND SECTION 5-807 TO DEFINE TEAM RECREATION SPORTS, AND ALLOW WITH AN ADMINISTRATIVE PERMIT IN THE RA AND RC ZONING DISTRICTS, CREATE ADDITIONAL STANDARDS FOR USE, AND ALLOW SUCH USE ON ANY COUNTY OWNED LAND IN ALL ZONING DISTRICTS

A public hearing was held to consider amending Section 3-309, Section 3-318, Section 15-300, Section 3-311 and Section 5-807 of the Zoning Ordinance to define team recreation sports and allow, with an administrative permit, in the RA and RC Zoning Districts, create additional standards for use, and allow such use on any County owned land in all zoning districts. Randy Frostick, George Muskamp, Debbie Reedy, Peter Roelofs, Merle Fallon, Kitty Smith, Tom Watson, and Kay Hayes spoke in favor of the amendments. Kathleen King spoke in favor of the amendments and asked that some provisions be made for unorganized sports. Barbara Severin said that she would like to see more changes made to the amendments. Julian Scheer asked that another hearing be held on the final amendments. The public hearing was closed. Mr. Winkelmann moved to adopt an ordinance amending the sections of the Zoning Ordinance. Mr. Mangum seconded.

After discussion, Mr. Winkelmann moved to table the decision until later in the meeting so that revisions could be made. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

SPECIAL EXCEPTION – POPLAR SPRINGS, L.C., OWNER

A public hearing was held to consider a request for Poplar Springs, L.C., Owners to allow a resort operation and conference center. The property is zoned Rural Agricultural (RA) and Village (V) and is located on the Southeast side of Rogues Road (Route 602) and Casanova Road (Route 616), PIN #7902-71-9402-000 and PIN #7902-62-6683-000, Cedar Run District. Howard Ford spoke in favor of the request. Victor Perry, Mildred Riddell, Will Nicklin, Druscilla Schaeffer and Kitty Smith spoke in opposition. The public hearing was closed. Mr. Burton moved to table the decision until the hydrogeological study was completed. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

**SPECIAL EXCEPTION – JAMES G. HAZEL, OWNER, AND NATIONAL COMMUNICATION
TOWERS, APPLICANT**

A public hearing was held to consider a request for special exception approval for James G. Hazel, Owner, and National Communication Towers, Applicant to allow for the construction of a telecommunications facility, including a maximum 199-foot tower and related equipment building. The property is located on the south side of Opal Road (Route 687) west of James Madison Highway (Route 29), PIN #6980-18-3105-000, Lee District. Elliott Harrigan and John Sinclair spoke in favor of the request. Kitty Smith, Barbara Severin, Chris Miller, President of the Piedmont Environmental Council, and Lyle Shirts spoke in opposition. The public hearing was closed. Mr. Mangum moved to table the decision until the August 2, 1999 meeting and to visit to the site. Mr. Green seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

ZONING ORDINANCE TEXT AMENDMENT – SECTION 3-309, SECTION 3-318, SECTION 15-300, SECTION 3-311, AND SECTION 5-807 TO DEFINE TEAM RECREATION SPORTS, AND ALLOW WITH AN ADMINISTRATIVE PERMIT IN THE RA AND RC ZONING DISTRICTS, CREATE ADDITIONAL STANDARDS FOR USE, AND ALLOW SUCH USE ON ANY COUNTY OWNED LAND IN ALL ZONING DISTRICTS

This item was tabled from earlier in the meeting at which time Mr. Winkelmann moved to adopt an ordinance amending the sections of the Zoning Ordinance, Mr. Mangum seconded.

Mr. Winkelmann moved to remove the original motion to adopt an ordinance amending the Zoning Ordinance sections from the table. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

*Abstention:
None*

Mr. Green then moved to adopt the following ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry
L. Weeks; Mr.
Joe
Winkelmann;
Mr. Wilbur W.
Burton; Mr.
James R. Green,
Jr.; Mr. David C.
Mangum*

Nays: None

*Absent During
Vote: None*

Abstention:
None

ORDINANCE

ZONING ORDINANCE TEXT AMENDMENT TO AMEND SECTION 3-309 OUTDOOR RECREATION, SECTION 3-311 PUBLIC AND QUASI-PUBLIC USES, SECTION 15-300 DEFINITIONS, TEAM RECREATION SPORTS, AND SECTION 5-807 ADDITIONAL STANDARDS FOR TEAM RECREATION SPORTS

WHEREAS, the Fauquier County Zoning Ordinance, Article 3 District Regulations, Part 3 Uses, Section 3-309 Outdoor Recreation and Section 3-311 Public and Quasi-Public Uses; Article 15 Ordinance Structure, Interpretation and Definitions, Part 3, Section 15-300 Definitions; and Article 5, Special Permits and Special Exceptions, Part 8, Category 8 Temporary Uses, Section 5-807 Additional Standards for Team Recreation Sports; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore be it

ORDAINED by the Fauquier County Board of Supervisors this 6th day of July 1999, That the Article 3 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

ARTICLE 3 DISTRICT REGULATIONS, PART 3 USES, SECTION 3-309 OUTDOOR RECREATION (CATEGORY 9)

SITE

PLAN RC RA

18. Team Recreation Sports A A

ARTICLE 3 DISTRICT REGULATIONS, PART 3 USES, SECTION 3-311 PUBLIC AND QUASI-PUBLIC USES (CATEGORY 11)

SITE

PLAN RC RA RR-2 V R-1 R-2 R-4 TH MDP C-1 C-2 C-3 CV I-1 I-2

10. Parks & Recreation

Facilities (~~Governmental~~/

Civic), athletic X SP SP SP SP SP SP SP SP SP SP SP SP SP SP SP

18. Governmental Athletic

Recreational Uses X P P P P P P P P P P P P P P P

ARTICLE 15 ORDINANCE STRUCTURE, INTERPRETATION AND DEFINITIONS, PART 3,

SECTION 15-300 DEFINITIONS

TEAM RECREATION SPORTS: Area of land, usually flat, open, well-drained usable space which is configured and located to provide facilities for team recreation sports. Team recreation sports shall include a maximum of two (2) ballfields consisting of baseball, football, field hockey, soccer and softball on land designated as common open space, public or private property, but excluding any land designated as non-common open space.

ARTICLE 5, SPECIAL PERMITS AND SPECIAL EXCEPTIONS, PART 8, CATEGORY 8 TEMPORARY USES, SECTION 5-807 ADDITIONAL STANDARDS FOR TEAM RECREATION SPORTS

1. Minimum acreage required for team recreation sports is five (5) acres.
2. Access shall be on a rural minor street or greater as shown in the Comprehensive Plan, fully paved section, and a highway entrance permit is required from the Virginia Department of Transportation, provided however, the Zoning Administrator may waive the requirement for the fully paved section of the road, should she determine that the waiver will not negatively impact health and safety.
3. Setback from adjoining dwellings shall be at least three hundred (300) feet unless written authorization is obtained from adjoining property owner(s). If written authorization is obtained, then the minimum setback is fifty (50) feet.
4. Parking shall not be in any required front yard or within fifty (50) feet of any side or rear lot line.
5. A minimum setback of one hundred (100) feet is required from any streambed.
6. The hours of operation shall be limited to the hours between 8:30 A.M. to 8:30 P.M.; and further restricted as applicable to daylight hours.
7. All grass areas used for parking and recreation shall be free of all trash, properly maintained, and mowed to a maximum length of four (4) inches.
8. Administrative permits shall be valid for a period of three (3) years, and may be renewed at the end of each three (3) year period for continued use.
9. Field use shall be limited to teams involving youth, eighteen (18) years old and under.
10. Notification shall be sent to all property owners adjacent to the proposed use. Said notice shall include a description of the property under consideration, the proposed use of the property, a statement that a copy of the proposed plan can be reviewed at the Department of Community Development, and that comments concerning the proposed use can be made to the Zoning Administrator.
- 11. The maximum acreage permitted on the site to be used for team recreation sports shall be ten (10) acres.**

12. The team recreation field(s) shall be used for practice fields.

13. No lights, concession stands, buildings, dugouts, bleachers, or amplified sound shall be permitted on site.

With no further business, the meeting was adjourned.